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10 Attorneys for Defendant
11 NATIONAL TOBACCO COMPANY, LP

12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA
14 SAN FRANCISCO DIVISION
15

16 RAYMOND RILEY p.k.a. Boots Riley,
17 SOLOMON DAVID and MARLON IRVING
18 p.k.a. Lifesavas,

18 Plaintiffs,

19 v.

20 NATIONAL TOBACCO COMPANY LP,

21 Defendant.
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Case No. C-08-01931 JSW

**STIPULATION OF DISMISSAL OF
ACTION WITH PREJUDICE**

[FRCP 41(a)(1)(ii)]

Courtroom: 2, 17th Floor
Before: The Honorable Jeffrey S. White

[FILED VIA E-FILING]

1 WHEREAS, Plaintiffs Raymond Riley, p.k.a. Boots Riley, Solomon David and Marlon
 2 Irving, p.k.a. Lifesavas ("Plaintiffs") and Defendant National Tobacco Company LP ("Defendant")
 3 (collectively the "Parties"), by and through their attorneys, have settled fully and finally this matter,
 4 as reflected in formal settlement papers entitled "Confidential Settlement Agreement and Mutual
 5 Release" ("the Settlement Agreement");

6 WHEREAS, pursuant to the terms and conditions of the Settlement Agreement and Rule
 7 41(a)(1)(ii) of the Federal Rules of Civil Procedure, the Parties desire a dismissal with prejudice of
 8 all claims in this litigation;

9 NOW, THEREFORE, IT IS HEREBY AGREED AND STIPULATED AS FOLLOWS:

10 That the above-captioned action be and hereby is dismissed with prejudice, pursuant to
 11 Federal Rule of Civil Procedure 41(a)(1)(ii), with each party to bear its own attorneys' fees and
 12 costs.

13 Dated: July 30, 2008

Respectfully submitted,

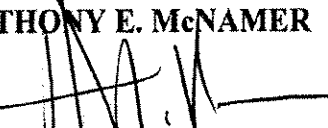
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 18 **MARCELLA BALLARD**

19 By: 
 20 Marcella Ballard
 Attorneys for Defendant
 NATIONAL TOBACCO COMPANY, LP

21 Dated: July 30, 2008

22 **McNAMER AND COMPANY P.C.**
 23 **ANTHONY E. McNAMER**

24 By: 
 25 Anthony E. McNamer
 Attorneys for Plaintiffs
 26 RAYMOND RILEY, p.k.a. Boots Riley,
 27 SOLOMON DAVID and
 28 MARLON IRVING p.k.a. Lifesavas